

52



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,233	11/01/2001	James June-Ming Wang	TIA-003	2981
36822	7590	08/26/2004	EXAMINER	
GORDON & JACOBSON, P.C. 65 WOODS END ROAD STAMFORD, CT 06905			PEACHES, RANDY	
			ART UNIT	PAPER NUMBER
			2686	

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/016,233	Applicant(s) WANG ET AL.	
	Examiner Randy Peaches	Art Unit 2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☒ Claim(s) 18 and 19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>03/12/2002</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION***Drawings***

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because: ***While viewing the cited drawings in reference to the application, the Examiner find that the reference numerals are hand written and are not easily readable.*** Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Objections

Claims 18 and 19 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. ***Claims 18 and 19 make reference to a "tracking system" as discloses in claims 1-16. However, the independent claim 17, which claims 18 and 19 are dependent upon, claim merely of a "satellite antenna system". Please make the necessary correction to reflect the appropriate depending language for claims 18 and 19.***

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. ***Claims 1-13*** are rejected under 35 U.S.C. 102(e) as being anticipated by Timothy et al. (U.S. Patent Number 6,433,736 B1).

Regarding ***claim 1***, Timothy et al. discloses in column 1 lines 40-41, of an antenna tracking system for an antenna mounted on an unstable platform, which reads on claimed "tracking system for a vehicle mounted satellite antenna", the said tracking system comprising:

- an Attitude Heading Reference System (AHRS, 24), (where the "attitude" expressly represents the trio - Pitch/Roll/Heading), that is mechanically connected to the directional antenna. Internally the said AHRS (24) compensates for the pitch, roll, and heading, which reads on claimed "yaw". Since the functionality of the Applicant's sensors are to detect an occurrence, the functions are analogous to that of the function of the said

AHRS (24), in that, Timothy et al discloses a mechanism that collectively couples the three individual sensors into one functional unit.

- an Antenna Pointing Computer (APC, 25), which reads on claimed " first and second bias correction mean", coupled to the said AHRS (24) that provides sensed data or sampled data (pitch/roll/heading information) through a fast-control loop, see column 4 lines 23-27, said APC (25) including one of

- Timothy et al teaches in column 4 lines 27-56, where the said sampled data is used by the said APC (25) to calculate the pitch, roll, and heading biases applied to the said AHRS (24). The Examiner concludes that the function of the Applicant's cited first and second bias correction means parallels in comparison to functions of the said APC (25) disclosed by Timothy et al. The resultant of both the Applicant and Timothy's et al correcting means are synonymous and therefore render no apparent differences, regarding functionality, which reads on claimed "first bias correction means for correcting yaw sensor bias where roll sensor bias has been calibrated to zero, and second bias correction means for correcting yaw sensor bias where pitch sensor bias has been calibrated to zero."

Regarding **claims 2 and 5**, according to **claim 1**, Timothy et al. continues to disclose a system wherein:

Art Unit: 2686

- said Antenna Pointing Computer (APC, 25), which reads on claimed "first and second bias correction means", includes means for calculating $\{.DELTA.Az+.DELTA.El \tan(Az) \tan(El)\}$ where $.DELTA.Az$ and $.DELTA.El$ are antenna pointing commands, which reads on claimed "correction rates", Az is the azimuth of the antenna, and El is the elevation of the antenna. See column 4 lines 62-67.

Regarding **claims 3 and 6**, according to **claims 1 and 5**, Timothy et al. continues to disclose in column 4 lines 23-29, lines 62-65, a system wherein:

- said Antenna Pointing Computer (APC, 25) utilizes the information from the said AHRS (24) to calculate the pitch bias, which reads on claimed "includes pitch sensor bias correction means for calculating pitch sensor bias."

Regarding **claims 4 and 7**, according to **claims 3 and 6**, Timothy et al. continues to disclose in a system wherein:

- said AHRS (24)'s sensed pitch bias, which is calculated by the said APC (25), which reads on claimed "pitch sensor bias correction means", includes means for calculating $\{.DELTA.El \sec(Az)\}$. See column 4 lines 24-65.

Regarding **claim 8**, according to **claim 1**, Timothy et al. continues to disclose in a system comprising:

- e) the said APC (25), which reads on claimed "azimuth angle correction means", coupled to said AHRS (24), which reads on claimed "yaw sensor, said pitch sensor, and said roll sensor", for computing pointing angles which are for the Azimuth (Az) based on the said AHRS (24) data, which reads on claimed "corrected azimuth angle for said antenna based on input from said sensors". See column 4 lines 64-65.

Regarding **claims 9 and 12**, according to **claims 8 and 11**, Timothy et al.

continues to disclose a system wherein:

- said APC (25), which reads on claimed "azimuth angle correction means" includes means for calculating $\{Az - (.phi..sub.x \cos(Az)\tan(EI) + .phi..sub.y \sin(Az)\tan(EI) + .phi..sub.z).DELTA.t\}$ where Az is the azimuth of the antenna, EI is the elevation of the antenna, R (roll), P (pitch), H (heading), which reads on claimed ".phi..sub.x, .phi..sub.y, .phi..sub.z", are derived from the AHRS (24) data, which reads on claimed "roll, pitch, yaw sensor outputs", respectively, and .DELTA.t is a time interval. See column 5 lines 20-47.

Regarding **claims 10 and 13**, according to **claims 9 and 12**, Timothy et al.

continues to disclose a system wherein:

- the said R, P, H, which reads on claimed ".phi..sub.x, .phi..sub.y, .phi..sub.z", are the AHRS (24) data, which reads on claimed "respective roll, pitch, yaw sensor outputs", less the estimated bias for each sensor

output. See column 5 lines 1-14.

Regarding **claim 11**, according to **claim 8**, Timothy et al. continues to disclose in a system comprising:

- f) the said APC (25), which reads on claimed "azimuth angle correction means", coupled to said AHRS (24), which reads on claimed "yaw sensor, said pitch sensor, and said roll sensor", for computing pointing angles which are for the Azimuth (Az) based on the said AHRS (24) data, which reads on claimed "corrected azimuth angle for said antenna based on input from said sensors". See column 4 lines 64-65.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 14-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Timothy et al. (U.S. Patent Number 6,433,736 B1) in view of Perry et al. (U.S. Patent Number 5,119,501) and in further view of Jan et al (U.S. Patent Number 5,739,784).

Art Unit: 2686

Regarding **claim 14**, Timothy et al. discloses an antenna tracking system for an antenna mounted on an unstable platform.

However, Timothy et al. fails to clearly disclose wherein a received signal strength indicator is coupled to the signal output of the said antenna

Perry et al. teaches in column 3 lines 47-60 and FIGURES 3 and 4, where a RSSI, which reads on claimed "received signal strength indicator", is coupled to the signal output of a sector antennas (6, 8), which reads on claimed "satellite antenna".

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Timothy et al. (U.S. Patent Number 6,433,736 B1) to include Perry et al. (U.S. Patent Number 5,119,501) in order to provide a means to detect the incoming signal parsed from the transmitting medium so that the said system will have the capability to adjust accordingly.

However, the combination of both Timothy et al. (U.S. Patent Number 6,433,736 B1) and Perry et al. (U.S. Patent Number 5,119,501) fail to continue to clearly point out the requirement that an adjustable phase shifter is coupled to said RSSI.

Jan et al asserts in column 6 lines 50-55 and column 7 lines 15-13, of a phase shift matrix, which reads on claimed "adjustable phase shifter".

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the combined teachings of Timothy et al. (U.S. Patent Number 6,433,736 B1) and Perry et al. (U.S. Patent Number 5,119,501) to further include Jan et al (U.S. Patent Number 5,739,784) in order to

Art Unit: 2686

provide a said phase shift matrix which automatically adjusts the phase of the signal output of the said antenna in response to said RSSI in order to obtain maximum received signal strength.

Regarding **claim 15**, as the combination of Timothy et al. (U.S. Patent Number 6,433,736 B1), Perry et al. (U.S. Patent Number 5,119,501) and Jan et al (U.S. Patent Number 5,739,784) are made, the combination according to **claim 14**, Jan et al. teaches in column 5 lines 60-67, of a beam-former (50), which reads on claimed "beam forming network", coupled to said antenna (see column 5 lines 8-12) and to said phase shift matrix.

Regarding **claim 16**, as the combination of Timothy et al. (U.S. Patent Number 6,433,736 B1), Perry et al. (U.S. Patent Number 5,119,501) and Jan et al (U.S. Patent Number 5,739,784) are made, the combination according to **claim 15**, wherein:

- Jan et al. teaches, in column 5 lines 60-67 and column 6 lines 1-5, of the said beam-former (50) includes a Divider/Combiner (57), which reads on claimed "means for splitting the signal output into two signals", having a relative phase difference, and
- said phase shift matrix includes means for adjusting the relative phase difference of the two signals. See column 5 lines 45-55.

Art Unit: 2686

3. **Claims 17-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Timothy et al. (U.S. Patent Number 6,433,736 B1), Perry et al. (U.S. Patent Number 5,119,501) and Jan et al (U.S. Patent Number 5,739,784) in view of Dedieu et al. (U.S. Patent Publication Number 2002/0051091 A1).

Regarding **claim 17**, the combination of Timothy et al. (U.S. Patent Number 6,433,736 B1), Perry et al. (U.S. Patent Number 5,119,501) and Jan et al (U.S. Patent Number 5,739,784) clearly discloses an antenna system, which reads on claimed "satellite antenna system", comprising:

- satellite antenna, as disclosed by Timothy et al. in column 4 lines 64-67, having a signal output;
- a said phase shift matrix, which automatically adjusts the coupled phase of the signal output. See Jan et al column 6 lines 50-55 and column 7 lines 15-13;

However, the combination of Timothy et al. (U.S. Patent Number 6,433,736 B1), Perry et al. (U.S. Patent Number 5,119,501) and Jan et al (U.S. Patent Number 5,739,784) fails to disclose channel selection detection means coupled to said adjustable phase shifter and having means for coupling to the data port of a set-top box.

Dedieu et al. discloses in paragraph [0033] of a TZIF or tuner, which reads on claimed "channel selection detection means" that has a means for coupling to the data port of a set-top box, the said TZIF or tuner includes a means for

Art Unit: 2686

determining a selected satellite channel from the data port of the set-top box and means for adjusting phase shifter based on the selected channel. See paragraph [0035].

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the combined teachings of Timothy et al. (U.S. Patent Number 6,433,736 B1), Perry et al. (U.S. Patent Number 5,119,501) and Jan et al (U.S. Patent Number 5,739,784) to further include Dedieu et al. (U.S. Patent Publication Number 2002/0051091 A1) in order to provide a said receiving unit, the said tuner, to realize the signal received from the said satellite. In addition, the said tuner having the functionality to send commands to the said phase shifter in order to adjust the phase according to the selected channels.

Regarding **claim 18**, as the combination of Timothy et al. (U.S. Patent Number 6,433,736 B1), Perry et al. (U.S. Patent Number 5,119,501), Jan et al (U.S. Patent Number 5,739,784) and Dedieu et al. (U.S. Patent Publication Number 2002/0051091 A1) are made, the combination according to **claim 17**, Jan et al. teaches in column 5 lines 60-67, of a beam-former (50), which reads on claimed "beam forming network", coupled to said antenna (see column 5 lines 8-12) and to said phase shift matrix.

Art Unit: 2686

Regarding **claim 19**, as the combination of Timothy et al. (U.S. Patent Number 6,433,736 B1), Perry et al. (U.S. Patent Number 5,119,501), Jan et al (U.S. Patent Number 5,739,784) and Dedieu et al. (U.S. Patent Publication Number 2002/0051091 A1) are made, the combination according to **claim 18**, wherein:

- Jan et al. teaches, in column 5 lines 60-67 and column 6 lines 1-5, of the said beam-former (50) includes a Divider/Combiner (57), which reads on claimed "means for splitting the signal output into two signals", having a relative phase difference, and
said phase shift matrix includes means for adjusting the relative phase difference of the two signals. See column 5 lines 45-55.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randy Peaches whose telephone number is (703) 305-8993. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2686

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Randy Peaches
August 12, 2004

Nguyen Vo
8-20-2004

NGUYENT.VO
PRIMARY EXAMINER